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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lee R. Brettman
Application No.: 09/550,082 Group: 1615
Filed: April 14, 2000 Examiner: Not assigned
For: METHOD OF ADMINISTERING AN ANTIBODY

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on 1-26-01	<i>Danielle D. Gath</i>
Date	Signature
<i>Danielle D. Gath</i>	
Typed or printed name of person signing certificate	

REPLY TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Customer Service Center
Office of Initial Patent Examination Division
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants are in receipt of a Notice of Incomplete Reply mailed from the Patent Office on January 8, 2001, requiring submission of additional fees on or before January 27, 2001. A copy of the Notice is attached hereto.

Specifically, the basic filing fee (\$690), additional claims fees (\$882), and surcharge under 37 C.F.R. §1.16(e) of \$130 are said to be due, resulting in a balance due of \$820. It is believed that these fees are not due in view of the following.

On December 27, 2000, the following documents were filed under 37 C.F.R. § 1.10:

- (1) Transmittal of Processing and Retention Fee w/copy;
- (2) Copy of Notice to file Missing Parts of Non-Provisional Application Formalities Letter;
- (3) Petition for Extension of Time w/copy; and
- (4) Check in the amount of \$1520.

Copies of items (1) through (3) are enclosed herewith. The Transmittal of Processing and Retention Fee and the Petition for Extension of Time each bear the Express Mail Label No. EL551546037US and date of deposit as Express Mail (December 27, 2000). Enclosed is a copy of the corresponding Express Mail receipt, bearing Express Mail Label No. EL551546037US, a "Date In" of "12 27 00," and a USPS date stamp of "DEC 27 2000" (Exhibit A). These documents were received by the Patent Office as evidenced by the postcard receipt, which was filed with the Reply, a copy of which is enclosed as Exhibit B. The postcard receipt references the Express Mail Label No. EL551546037US, specifically lists items (1) through (4) above, and bears a U.S. PTO date stamp of December 27, 2000, indicating that the items listed thereon were received by the Patent Office prior to expiration of the period for reply (as extended).

Concurrently, a continuation application was filed also under 37 C.F.R. § 1.10. Enclosed is a copy of the postcard receipt for the continuation application (Exhibit C), which references the Express Mail Label No. EL551546037US and bears a U.S. PTO bar code and the Application Number (09/748,960) and filing date (December 27, 2000) assigned to the subject application, indicating that the items listed thereon were received by the Patent Office and accorded the benefit of the date of deposit.

The Petition for Extension of Time (four months) and the requisite fee (\$1390) were filed in the subject application in order to maintain copendency with the continuation application. The Processing and Retention Fee (\$130) was filed, permitting the continuation application to claim the benefit of the filing date of the subject application under 37 C.F.R. § 1.78(a)(1)(iv).

Applicants intend to permit the subject application to go abandoned in favor of Continuing Application No. 09/748,960, filed on December 27, 2000. In view of the filing of a Petition for Extension of time, the applicable fee for same, and the Processing and Retention Fee, it is believed that no fees are due in the subject application.

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Helen E. Wendler

Helen E. Wendler

Registration No. 37,964

Tel.: (781) 861-6240

Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

Date:

January 26, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/550,082	04/14/2000	Lee R. Brettman	1855.2007-000

Helen E Wendler
Hamilton Brook Smith & Reynolds P C
Two Militia Drive
Lexington, MA 02421-4799

FORMALITIES LETTER



OC000000005661239

Date Mailed: 01/08/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 12/27/2000 to the Notice to File Missing Parts (Notice) mailed 06/27/2000 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$.
 - \$882 for 49 total claims over 20.
- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 was not received.
- The balance due by applicant is \$ 820.00.

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

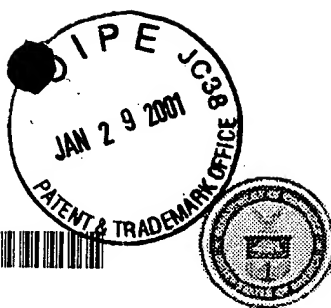
PART 2 - COPY TO BE RETURNED WITH RESPONSE

02/26/2001 SSANDARA 00000077 080380 09550082
01 FC:101 710.00 CH
02 FC:103 882.00 CH
03 FC:105 130.00 CH
Adjustment date: 08/26/2002 AKELLEY
02/26/2001 SSANDARA 00000077 080380 09550082
01 FC:101 710.00 CR
02 FC:103 882.00 CR
03 FC:105 130.00 CR

FORMALITIES LETTER



OC000000005206129

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/550,082	04/14/2000	Lee R. Brettman	1855.2007-000

Helen E Wendler
Hamilton Brook Smith & Reynolds P C
Two Militia Drive
Lexington, MA 02421-4799

DOCKETED DSD 8-27-00
FED 8-27-00 Date Mailed: 06/27/2000
SQD 8-27-00
CEZ

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

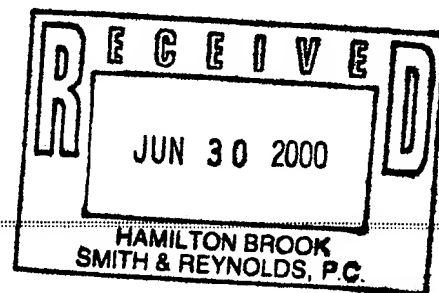
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$882.
 ■ \$882 for 49 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):
 ■ A copy of the "Sequence Listing" in computer readable form has not been submitted as required under 37 CFR 1.821(e).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-1123
- For CRF Submission Help, call (703) 308-4212
- PatentIn Software Program Support
- - For Technical Assistance, call (703) 287-0200
- - To Purchase PatentIn Software, call (703) 306-2600

- The balance due by applicant is \$ 1702.



*A copy of this notice **MUST** be returned with the reply.*

BA TC

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



**POST OFFICE
TO ADDRESSEE**

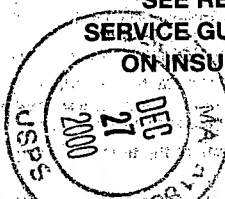


EL551546037US

EL551546037US

ORIGIN (POSTAL USE ONLY)	
PO ZIP Code 01888	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second
Date In 12/27/00	Postage \$15.75
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No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials 115
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<input type="checkbox"/> NO DELIVERY: <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	

FROM: (PLEASE PRINT) PHONE 781, 861-6240
Helen E. Wendler, Esq.
HAMILTON BROOK
SMITH & REYNOLDS PC
2 MILITIA DR
LEXINGTON MA 02421-4702
1855.2007-001 HEW/RHU/ddg

TO: (PLEASE PRINT) PHONE
Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, DC 20231

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EXHIBIT

A

Initials: HEW/RHU/ddg

Docket No.: 1855.2007-000

Date: 12/27/00

This is to acknowledge receipt of the following document:

- ☒ Petition for Extension of time w/copy
with EXPRESS MAIL Label No. EL551546037US
- ☒ Transmittal of Processing and Retention Fee w/copy
- ☒ Copy of Notice to File Missing Parts of Non-Provisional Application Formalities
Letter
- ☒ Check in the amount of \$1,520.00
- ☐ Authorization to Charge all fees \$[]

Applicant: Lee R. Brettman

Application No.: 09/550,082

Filed: April 14, 2000

Title:

METHOD OF ADMINISTERING AN ANTIBODY



Date received by the PTO:

::ODMA\MHODMA\iManage;188879;1

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EXHIBIT

B

Initials: HEW/RHU/ddg Docket No.: 1855.2007-001 Date: 12/27/00
This acknowledges receipt of X CONTINUATION DIVISION 53(b) as follows:
X Application Transmittal Express Mail Label No. EL551546037US
 Fee Transmittal w/copy Statement of S/E Status
X Specification - Total pages 76
X Drawings Formal X Informal - Total sheets 9
 Executed Declaration/POA - Total pages
 Copy of executed Declaration/POA from prior Application No.
 Assignment w/Recordation Sheet w/postcard
 Sequence Listing in Paper & CRF, Statement 1.821 (g)
 Other
 Check (\$)) Authorization to Charge all Fees

Applicant: Lee R. Brettman

X Continuation of Application No. 09/550,082 filed April 14, 2000

Title: METHOD OF ADMINISTERING AN ANTIBODY

Date received by the PTO:

::ODMA\HODMAN\MANAGE\188869.1

jc862 U.S. PTO
09/748960
12/27/00

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EXHIBIT

C